

A regular meeting of Borough Council was held at 7:30 PM, Monday, December 12, 2011. Mayor Frank North presided. Pledge of Allegiance and Silent Prayer were observed. Announcement was made that the meeting had been advertised in accordance with the regulations prescribed by the "Open Public Meetings Act".

ROLL CALL:

Council Present: Fields, Volkert, Grasso, Madden, and Perno. Clerk Brouse, Solicitor Higgins and CFO Moules were present.

7:33 RECORDER NOT WORKING

PUBLIC HEARING ON ORDINANCE 11-12 AMEND CHAPTER 25
NONE

ADOPT ORDINANCE 11-12 AMEND CHAPTER 25 On a motion of Mr. Perno and second of Mr. Volkert, Council voted to adopt the following Ordinance:

11-12
ORDINANCE OF THE BOROUGH OF MERCHANTVILLE,
COUNTY OF CAMDEN AND STATE OF NEW JERSEY
AMENDING CHAPTER 25, FEES, IN THE CODE OF THE
BOROUGH OF MERCHANTVILLE

BE IT ORDAINED by the Mayor and Borough Council of the Borough of Merchantville, County of Camden, and State of New Jersey, that Article II of Chapter 25, Fees for Public Records, in the Code of the Borough of Merchantville is hereby amended as follows:

ARTICLE I. SECTION 25-7 Fee Schedule.

The following schedule of fees is hereby added to the fees so listed in Section 7 of Article II. of Chapter 25 of the Code of the Borough of Merchantville, as follows:

Certified copy	\$ 10.00
Affidavit of domestic partnership	\$ 10.00
Birth certificate	\$ 10.00
Death certificate	\$ 10.00
Each additional cetified copy (each)	\$ 10.00

ARTICLE II.

All Ordinances contrary to the provisions of this Ordinance are hereby repealed to the extent that they are inconsistent herewith.

ARTICLE III.

This Ordinance shall take effect upon its passage and publication according to law.

PUBLIC HEARING ON ORDINANCE 11-13 APPROVING ACQUISITION OF CERTAIN LAND
NONE

ADOPT ORDINANCE 11-13 APPROVING ACQUISITION OF CERTAIN LAND On a motion of Mrs. Madden and second of Mrs. Fields, Council adopted the following ordinance:

11-13

ORDINANCE OF THE BOROUGH OF MERCHANTVILLE,
COUNTY OF CAMDEN AND STATE OF NEW JERSEY
APPROVING THE ACQUISITION OF CERTAIN LAND BY
THE BOROUGH OF MERCHANTVILLE FROM MALIK &
SON LLC, AND AUTHORIZING THE LITIGATION
NECESSARY TO IMPLEMENT SAID ACQUISITION

WHEREAS, the Borough of Merchantville (hereinafter "Merchantville") is a municipal entity organized under the laws of the State of New Jersey and located in Camden County; and

WHEREAS, by Resolution adopted on January 11, 2010, and pursuant to the provisions of the Local Redevelopment and Housing Law, N.J.S.A. 40A:20-1 et seq. ("Local Redevelopment and Housing Law"), set forth at N.J.S.A. 40A:12A-6(a), the Borough Council of the Borough of Merchantville ("Borough") directed the Planning Board of the Borough of Merchantville ("Planning Board") to conduct a preliminary investigation to determine whether an area comprising the West Maple Avenue Redevelopment Area, inclusive of Lots 2 & 3 in Block 9 on the Official Tax Map of the Borough (hereinafter designated as the "West Maple Avenue Redevelopment Area") as an area in need of redevelopment in accordance with the criteria set forth in the Local Redevelopment and Housing Law; and

WHEREAS, the Planning Board conducted a preliminary investigation in accordance with the guidelines set forth in the Local Redevelopment and Housing Law at N.J.S.A. 40A: 12A-6, and held a public hearing on this matter; and

WHEREAS, by Resolution adopted on June 8, 2010, and pursuant to N.J.S.A. 40A: 12A-6(b)(5), the Planning Board recommended to the Borough Council that the Merchantville West Maple Avenue Redevelopment Area be determined to be an area in need of redevelopment (the "Redevelopment Area"); and

WHEREAS, by Resolution adopted July 11, 2010, the Borough Council approved the Planning Board's recommendation that the area comprising the stated West Maple Avenue Redevelopment Area was determined to be an area in need of redevelopment according to the criteria set forth in N.J.S.A. 40A: 12A-6; and

WHEREAS, by Ordinance adopted June 13, 2011, the Borough Council adopted the Redevelopment Plan of the Borough of Merchantville ("Redevelopment Plan") for the Redevelopment Area, based on the report containing the recommendation of the Planning Board following the Planning Board's review of the Redevelopment Plan; and

WHEREAS, the Malik & Son LLC is the owner of real property located at 606 West Maple Avenue, more fully described as Lots 2 & 3 in Block 9 on the Official Tax Map of the Borough of Merchantville, which is within the boundaries of the stated West Maple Avenue Redevelopment Area; and

WHEREAS, Merchantville has made a bona fide offer to purchase the above referenced property from Malik & Son LLC for consideration in the amount of Two Hundred, Seventy Thousand (\$270,000.00) Dollars; and

WHEREAS, this bona fide offer to purchase this property made by Merchantville has been rejected by Malik & Son LLC; and

WHEREAS, Merchantville wishes to assert its rights of eminent domain and commence a condemnation action to acquire this property from Malik & Son LLC; and

WHEREAS, the acquisition of this property by Merchantville is consistent with and in furtherance of the above-mentioned redevelopment agreement; and

WHEREAS, it is the intention of the Mayor and Borough Council of the Borough of Merchantville to authorize the proper municipal officials to prosecute this litigation and execute the appropriate documents on behalf of the Borough of Merchantville in furtherance of this property acquisition.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Borough Council of the Borough of Merchantville, County of Camden, State of New Jersey that, pursuant to and in furtherance of the

authority granted to the municipality under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., the acquisition of the real property located at 606 West Maple Avenue, in the Borough of Merchantville, more fully described as Lots 2 & 3 in Block 9 on the Official Tax Map of the Borough of Merchantville from the Malik & Son LLC is hereby approved; and

AND BE IT FURTHER ORDAINED that Frank M. North, Mayor of the Borough of Merchantville and Denise Brouse, Borough Clerk of the Borough of Merchantville be and hereby are authorized to execute the appropriate documents to implement said acquisition on behalf of the Borough of Merchantville; and

AND BE IT FURTHER ORDAINED that the Timothy J. Higgins, Esquire, Borough Solicitor of the Borough of Merchantville, be and hereby is authorized to prepare and file in the Superior Court any and all documents to implement said acquisition on behalf of the Borough of Merchantville.

PUBLIC

Tom Evaul, 125 St. James Avenue, How did you arrive at the dollar amount for the purchase of 606 W. Maple? Is the property at Maple and Chapel being zoned for a group home? Can the Borough take precedence over zoning statute that permits this?

Cliff Matukonis, 501 W. Maple Avenue, unrepaired manhole covers, when will it be fixed? Black top is lower around manhole area around an inch. Pot holes can't be repaired until manhole issue is addressed, Should be around this week to fix pot holes.

Tom Evaul, 125 St. James Avenue, will that property come off tax rolls-no.

ENGINEER'S REPORT-Bob Hunter The punch list is completed and we have the change order and final for Morris and Prospect.

Roof and quantities for the Community Center are ready.

Todd Day from Remington and Vernick, The voucher has been given to Mrs. Moules for final payment on slip line project. ADA curb ramps were replaced and done. Slip lined areas not lined and total price to line \$153,000 additional.

CORRESPONDENCE

COUNCIL REPORTS

Mrs. Fields- Forms for evaluations, complete by end of year. Community Center 1 rental for November and 4 for December. Planning Board-no meeting, Code Enforcement-work on abandon properties. 7 property maintenance issues. No Court cases this month. Discussion at planning board regarding complete packets for applicants. Liens against properties? Ways & Means planning for next years budget. License report given.

Mr. Volkert-Shade Tree meeting this Wednesday, December 14", 35-40 stumps will be removed. Public Works-leaf collection is going well. A few issues on the week of Thanksgiving. 75-80% collected that week. We used about 7 days of labor team workers. Dumped 57.7 tons of brush, 12-20 yards at recovery center. Can residents pick up mulch? 19 signs vandalized recently along with a sewer grate, stop sign, snack bar, PNC, traffic box and bus shelters. Someone will take the fuel tank at Public Works. Thanks to Scout Troop 119 for the work on Santa shack.

Mr. Grasso-Parade was a success, well attended, good feedback. Breakfast with Santa this Saturday, 10:00 to 11:30. Public Events-no meeting in December, 6000 eggs to fill for Egg hunt. Great job on parade and Santa House.

Mrs. Madden-HPC 718-726 apartments are in receivership and are working on facade. A market is going in at 614-616 W. Maple Avenue. Task Force meeting last week. December 20th is a multi use path in Camden and Asnes will attend.

Mr. Perno-Nothing to report-Action on 606 W. Maple Avenue.

Clerk's Report- Slipline update, Evaluations are on the desk and should be completed as soon as possible. Reorganization will be on January 3rd at 7:30PM. We will have a public meeting for CDBG at the regular council meeting on January 9th. The proposals for professionals are on the desk for review at your convenience. The revaluation meetings are being scheduled.

OLD BUSINESS

NEW BUSINESS

Resolutions to be read by consent agenda: On a motion of Mr. Perno and second of Mr. Volkert Council approved the following resolutions by consent agenda:

R1J-137

RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY AUTHORIZING 2011 BUDGET TRANSFERS

WHEREAS, there are certain 2011 Budget Appropriations of the Borough of Merchantville with balances insufficient to meet requirements for operating Borough Affairs as indicated on the attached schedule; and

WHEREAS, there are 2011 Budget Appropriations with unexpended balances that are not needed for such purposes; and

WHEREAS, Revised Statutes 40A:4-59 provides for Transfers to those accounts having insufficient balances:

<u>Operating Budget Description</u>	<u>Account Number</u>	<u>Transfer Out</u>	<u>Transfer In</u>
Building and Grounds - Boro Hall	1-01-26-772-260	4,000.00	
Streets and Roads Salary & Wages	1-01-26-765-101		1,700.00
Group Insurance	1-01-23-733-000	15,000.00	
Prosecutor Salary & Wages	1-01-25-757-100		.22
Police Vehicle Purchase	1-01-25-745-265	2,259.19	
Vehicle Maintenance - Police	1-01-26-767-282		2,259.19
Vehicle Maintenance - DPW	1-01-26-767-285		4,772.35
Admin/Clerk Payroll Services	1-01-20-701-204	1,000.00	
Animal Control Dog Regulation	1-01-27-788-251	1,310.22	
Court Clerical Salary & Wages	1-01-33-830-103	3,000.00	
Admin Part Time Salary & Wages	1-01-20-701-102	3,000.00	
Liability Insurance	1-01-23-730-000	3,863.85	
Police Salary & Wages	1-01-25-745-101		12,000.00
Emergency Management Relocation	1-01-25-747-253		14,000.00
Ambulance Shared Svc Agreement	1-01-25-750-299	298.50	
Solid Waste Apt Reimbursement	1-01-26-770-236	2,000.00	
<u>Third Party UCC Inspections</u>	<u>1-01-25-747-253</u>		<u>1,000.00</u>
	To	35,731.76	35,731.76

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Merchantville that the following transfers are hereby approved as indicated on the above schedule.

R1J-138

RESOLUTION OF THE BOROUGH OF MERCHANTVILLE,
COUNTY OF CAMDEN AND STATE OF NEW JERSEY APPROVING CHANGE ORDER FOR
ROADWAY IMPROVEMENTS TO PROSPECT STREET

WHEREAS, it was necessary to make changes in the scope of work to be done in completing the Roadway Improvements to Prospect Street [Funded by the NJDOT Municipal Aid Program, FY2008 and FY2009] in the Borough of Merchantville, Camden County, New Jersey;

WHEREAS, Change Order No. 3 was developed to itemize and authorize those changes,

WHEREAS, certification has been received by the Certified Finance Officer that sufficient funds have been allocated for this Change Order;

NOW, THEREFORE, BE IT RESOLVED by the Borough of Merchantville that Change Order No. 3 and is hereby authorized and approval is hereby granted to revise the contract amount from 5172,258.00 to \$ 169,195.50 (reduction of \$3,062,50).

RI 1-139

RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND
STATE OF NEW JERSEY RELATIVE TO SEWER CAPITAL IMPROVEMENT
APPROPRIATION

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Merchantville, County of Camden, State of New Jersey that Resolution No. 11 -88, adopted July 11, 2011, be and hereby is rescinded., and

BE IT FURTHER RESOLVED that Denise Brouse, Clerk of the Borough of Merchantville, shall forward a certified copy of this Resolution to the Department of Community Affairs, the Division of Local Governmental Services within five (5) days of the date of its adoption.

RI 1-140

RESOLUTION OF THE BOROUGH OF MERCHANTVILLE,
COUNTY OF CAMDEN AND STATE OF NEW JERSEY CANCELING 2011
BUDGET APPROPRIATIONS WITH UNEXPENDED BALANCES

WHEREAS, the attached schedule indicates those budget accounts with unexpended balances;
and

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be credited to Sewer Utility Surplus;

Sewer-PSA Maint Agreement	1-07-55-515-501	1,900.00
Sewer-PSA Service Agreement	1-07-55-510-501	3,500.00
Sewer-Capital Outlay	1-07-55-522-501	<u>10,000.00</u>
	TOTAL	15,400.00

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Merchantville, County of Camden, New Jersey, that the attached listed unexpended balances of the Sewer Utility are hereby canceled.

RI 1-141

RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY
OF CAMDEN AND STATE OF NEW JERSEY APPROVING FINAL PAYMENT
FOR ROADWAY IMPROVEMENTS TO MORRIS STREET AND PROSPECT STREET

WHEREAS, the Roadway Improvements to Morris Street and Prospect Street [Funded by the NJDOT Municipal Aid Program, FY2008 and FY2009] in the Borough of Merchantville, Camden County, New Jersey have been completed;

WHEREAS, the final payment shall be paid upon the approval by the Borough Solicitor.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Merchantville that final payment is hereby authorized and approval is hereby granted to pay the contract amount of \$31,683.60 upon the Borough Solicitor review and approval.

PAYMENT OF BILLS: On the motion of Mrs. Fields and second of Mr. Volket, Council approved the following resolution:

R11-142
RESOLUTION

RESOLVED that the Report of the Department of Accounts and Auditing be accepted and spread upon the minutes and the Treasurer be is hereby authorized to pay bill approved therein.

CURRENT FUND		REVENUE	BUDGET
CHECKS CURRENT FUND	2010 BUDGET		0.00
	2011 BUDGET		90,241.28
	GRANTS		15,016.28
	DEBT SERVICE		0.00
	BOARD OF EDUCATION*		0.00
	CAMDEN COUNTY		0.00
WIRE TRANSFERS PAYROLL	11/18/11 12/2/11		1 12,033.08
WIRES / MANUAL CHECKS			49,642.59
	TOTAL CURRENT	0.00	266,933.23
SEWER UTILITY			
CHECKS SEWER FUND	2011 BUDGET		87,794.70
	DEBT SERVICE		0.00
WIRE TRANSFERS PAYROLL	11/18/11 12/2/11		4,966.20
WIRENJEIT LOAN			0.00
WIRES /MANUAL CHECKS			0.00
	TOTAL SEWER	0.00	92,760.90
GENERAL CAPITAL FUND			
CHECK CAPITAL FUND			21,122.30
MANUAL CHECK			0.00
WIRE TRANSFERS PAYROLL			0.00
	TOTAL CAPITAL	0.00	21.122.30
TRUST FUND			
CHECK TRUST OTHER FUND			6,867.42
WIRE TRANSFERS PAYROLL	11/18/11 12/2/11		10,195.00
WIRES / MANUAL CHECKS			276,232.81
	TOTAL TRUST	0.00	293.295.23
SEWER CAPITAL FUND			
CHECK SEWER CAPITAL			1,776.25
MANUAL CHECKS			0.00
WIRE TRANSFERS PAYROLL	11 /18/11		12/2/11 0.00

860

	TOTAL SEWER CAPITAL	0.00	.776.25
RECREATION TRUST			
CHECK RECREATION TRUST			92.87
MANUAL CHECKS			0.00
WIRE TRANSFERS PAYROLL	1 /18/11 12/2/11		487.72
	TOTAL SEWER CAPITAL	0.00	580.59
ANIMAL TRUST FUND			
ANIMAL TRUST CHECK			280.88
	TOTAL ANIMAL TRUST	0.00	280.88
UNEMPLOYMENT			
UNEMPLOYMENT CHECK			0.00
	TOTAL UNEMPLOYMENT	0.00	0.00
	TOTAL BILL LIST & MANUAL CHECKS/WIRE	0.00	676,749.38
	GRAND		
	TOTAL		<u>676,749.38</u>

ANNOUNCEMENTS:.

ADJOURNMENT: On the motion of Steve Volkert and second of Patricia Fields, the meeting was adjourned at 8:36 PM.

DENISE BROUSE
BOROUGH CLERK